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### DECLARATION (37 CFR 1.63) FOR UTILITY OR DESIGN APPLICATION USING AN APPLICATION DATA SHEET (37 CFR 1.76)

|                           |  |
|---------------------------|--|
| <b>Title of Invention</b> | COMPOSITIONS CONTAINING PEPTIDE COPPER COMPLEXES AND<br>SOFT TISSUE FILLERS, AND METHODS RELATED THERETO |
|---------------------------|--|

As the below named inventor(s), I/we declare that:

This declaration is directed to:

- ☐ The attached application, or  
☒ Application No. 10/607,575, filed on 06/26/03,  
☐ as amended on \_\_\_\_\_ (if applicable);

I/we believe that I/we am/are the original and first inventor(s) of the subject matter which is claimed and for which a patent is sought;

I/we have reviewed and understand the contents of the above-identified application, including the claims, as amended by any amendment specifically referred to above;

I/we acknowledge the duty to disclose to the United States Patent and Trademark Office all information known to me/us to be material to patentability as defined in 37 CFR 1.56, including material information which became available between the filing date of the prior application and the National or PCT International filing date of the continuation-in-part application, if applicable; and

All statements made herein of my/our own knowledge are true, all statements made herein on information and belief are believed to be true, and further that these statements were made with the knowledge that willful false statements and the like are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001, and may jeopardize the validity of the application or any patent issuing thereon.

#### FULL NAME OF INVENTOR(S)

Inventor one: Leonard M. Patt Citizen of: US

Signature: Leonard M. Patt Date: 8/20/03

Inventor two: \_\_\_\_\_ Citizen of: \_\_\_\_\_

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Inventor three: \_\_\_\_\_ Citizen of: \_\_\_\_\_

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Inventor four: \_\_\_\_\_ Citizen of: \_\_\_\_\_

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

☐ Additional inventors are being named on \_\_\_\_\_ additional form(s) attached hereto.

Burden Hour Statement: This collection of information is required by 35 U.S.C. 115 and 37 CFR 1.63. The information is used by the public to file (and the PTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This form is estimated to take 1 minute to complete. This time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Docket No. 480048.457

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**ELECTION AND POWER OF  
ATTORNEY OR  
AUTHORIZATION OF AGENT**

|                        |                 |
|------------------------|-----------------|
| Applicati n Number     | 10/607,575      |
| Filing Date            | June 26, 2003   |
| First Named Invent r   | Leonard M. Patt |
| Group Art Unit         |                 |
| Examiner Name          |                 |
| Attorney Docket Number | 480048.457      |

I hereby appoint:

☒ Practitioners at Seed IP Law Group PLLC

OR

☐ Practitioner(s) named below:

| Name | Registration Number |
|------|---------------------|
|      |                     |
|      |                     |
|      |                     |

Customer Number

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as my/our attorney(s) or agent(s) to prosecute the application identified above, and to transact all business in the Patent and Trademark Office connected therewith.

Please change the correspondence address for the above-identified application to:

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☐ Firm or  
Individual Name

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State

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Country

Telephone

Fax

I am the:

☐ Applicant/Inventor.

☒ Assignee of record of the entire interest. See 37 CFR 3.71.

*Statement under 37 CFR 3.73(b) is enclosed. (Form PTO/SB/96).*

☒ As assignee of record of the entire interest I/we hereby elect, under 37 C.F.R. § 3.71, to prosecute the application to the exclusion of the inventor(s).

**SIGNATURE of Applicant or Assignee of Record**

Name

Signature

Date

NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below\*.

☐ \*Total of \_\_\_\_\_ forms are submitted.

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**STATEMENT UNDER 37 CFR 3.73(b)**

Applicant/Patent Owner: Leonard M. Patt

Application No./Patent No.: 10/607,575 Filed/Issue Date: June 26, 2003

Entitled: COMPOSITIONS CONTAINING PEPTIDE COPPER COMPLEXES AND  
SOFT TISSUE FILLERS, AND METHODS RELATED THERETO

ProCyte Corporation, a corporation  
(Name of Assignee) (Type of Assignee, e.g., corporation, partnership,  
university, government agency, etc.)

states that it is:

1. ☒ the assignee of the entire right, title, and interest; or  
2. ☐ an assignee of an undivided part interest

in the patent application/patent identified above by virtue of either:

- A. ☒ An assignment from the inventor(s) of the patent application/patent identified above.  
The assignment was recorded in the United States Patent and Trademark Office at  
Reel       , Frame       , or for which a copy thereof is attached.

OR

- B. ☐ A chain of title from the inventor(s), of the patent application/patent identified above, to the  
current assignee as shown below:

1. From:        To:       

The document was recorded in the United States Patent and Trademark Office at  
Reel       , Frame       , or for which a copy thereof is attached

2. From:        To:       

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3. From:        To:       

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☐ Additional documents in the chain of title are listed on a supplemental sheet.

☐ Copies of assignments or other documents in the chain of title noted in B above are  
attached.

[NOTE: A separate copy (i.e., the original assignment document or a true copy of the original document) must be  
submitted to Assignment Division in accordance with 37 CFR Part 3, if the assignment is to be recorded in the records  
of the USPTO. See MPEP 302.8]

The undersigned (whose title is supplied below) is authorized to act on behalf of the assignee.

8/22/03  
Date

John F Clifford  
Typed or printed name  
John F Clifford  
Signature  
President  
Title

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual  
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Commissioner for Patents, Washington, DC 20231.

Docket No. 480048.457 402603\_1.DOC



## ASSIGNMENT

WHEREAS, I, Leonard M. Patt (hereinafter referred to as ASSIGNOR), having a mailing address of 12016 40<sup>th</sup> Avenue Northeast, Seattle, Washington 98125, am the sole inventor of an invention entitled "COMPOSITIONS CONTAINING PEPTIDE COPPER COMPLEXES AND SOFT TISSUE FILLERS, AND METHODS RELATING THERETO," as described and claimed in the specification for which an application for United States letters patent was filed on June 26, 2003, and assigned Application No. 10/607,575. This application claims the benefit of U.S. Provisional Patent Application No. 60/393,563 filed July 2, 2002.

WHEREAS, ProCyte Corporation (hereinafter referred to as ASSIGNEE), a corporation of the State of Washington having a place of business at 8511 154<sup>th</sup> Avenue Northeast, Redmond, Washington 98052, is desirous of acquiring the entire right, title and interest in and to the invention and in and to any letters patent that may be granted therefor in the United States and in any and all foreign countries;

NOW, THEREFORE, in exchange for good and valuable consideration, the receipt of which is hereby acknowledged, ASSIGNOR hereby sells, assigns and transfers unto said ASSIGNEE the entire right, title and interest in and to said invention, said application and any and all letters patent which may be granted for said invention in the United States of America and its territorial possessions and in any and all foreign countries, and in any and all divisions, reissues and continuations thereof, including the right to file foreign applications directly in the name of ASSIGNEE and to claim priority rights deriving from said United States application to which said foreign applications are entitled by virtue of international convention, treaty or otherwise, said invention, application and all letters patent on said invention to be held and enjoyed by ASSIGNEE and its successors and assigns for their use and benefit and of their successors and assigns as fully and entirely as the same would have been held and enjoyed by ASSIGNOR had this assignment, transfer and sale not been made. ASSIGNOR hereby authorizes and requests the Commissioner of Patents and Trademarks to issue all letters patent on said invention to ASSIGNEE. ASSIGNOR agrees to execute all instruments and documents required for the making and prosecution of applications for United States and foreign letters

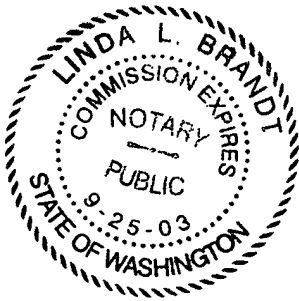
patent on said invention, for litigation regarding said letters patent, or for the purpose of protecting title to said invention or letters patent therefor.

Aug 22 2003  
Date

Leonard M. Patt  
Leonard M. Patt

State of Washington                   )  
  )  
County of King                        )       ss.

I certify that I know or have satisfactory evidence that Leonard M. Patt is the person who appeared before me, and said person acknowledged that he signed this instrument and acknowledged it to be his free and voluntary act for the uses and purposes mentioned in the instrument.



Dated 8/22/03  
Signature of Linda L. Brandt  
Notary Public  
Printed Name Linda L. Brandt  
My appointment expires 9/25/03